

THIS INSTRUMENT PREPARED BY:  
Sean M. Ellis, Esquire  
Roetzel & Andress, a Legal Professional Association  
2320 First Street, Suite 1000  
Fort Myers, Florida 33901

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Charlie Green, Lee County Clerk of Circuit Court  
Rec. Fee \$35.50  
Deputy Clerk DMAYS  
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**FIRST AMENDMENT TO**  
**DECLARATION OF CONDOMINIUM**  
**OF**  
**SANIBEL HARBOUR YACHT CLUB, A CONDOMINIUM**

This First Amendment to the Declaration of Condominium of Sanibel Harbour Yacht Club, a Condominium is made this 3rd day of November, 2006, by Steeve Squared, LLC, a Florida limited liability company (the "Declarant or the "Developer").

WHEREAS, the Declarant executed and recorded that certain Declaration of Condominium of Sanibel Harbour Yacht Club, a Condominium as recorded on April 6, 2006 at Instrument # 2006000142556, Public Records of Lee County, Florida (the "Declaration"); and

WHEREAS, the Sanibel Harbour Yacht Club Condominium Association, Inc. is currently under Developer control; and

WHEREAS, pursuant to Article 2, Section 11(b) of the Declaration the Developer may alter unit boundaries and execute and record this amendment altering such unit boundaries without the joinder of the Association, any Unit Owner, or mortgagee or lienor; and

WHEREAS, the Declarant wishes to make this Amendment to the Declaration setting forth the new unit boundaries for Units 256, 257, 356, 357, 464, 465, 532 and 533.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

2. Alteration of Unit Boundaries. The perimeter and common lateral unit boundaries for Dry Slip Units 256, 257, 356, 357, 464, 465, 532 and 533 of the Condominium shall hereinafter be as depicted on the surveyor's certificate and graphic representation attached hereto. The attached Exhibit "D-1" is hereby annexed to and expressly made a part of Exhibit "D" of the Declaration. Further, Article 2, Section 11(a)(iii)(b)a. of the Declaration is hereby amended to add the following language regarding the unit boundaries altered by this Amendment:

"Notwithstanding the foregoing provisions of this subsection a., the common lateral unit boundaries for Units 464 and 465 only, and the common lateral unit boundaries for Units 256 and 257 only are as follows:

Units 463 and 464 only: a vertical plane parallel with and 12.0 feet east of the vertical plane of the inside (with respect to Unit 464) surface of the vertical structural support between Unit 463 and Unit 464, extended to the planer intersection with the upper, lower, forward and aft unit boundaries.

Units 256 and 257 only: a vertical plane parallel with and 15.0 feet east of the vertical plane of the inside (with respect to Unit 256) surface of the vertical structural support between Unit 255 and Unit 256, extended to the planer intersection with the upper, lower, forward and aft unit boundaries."

3. Ratification. Except as to the modification set forth in this First Amendment, all other terms and conditions of the Declaration shall remain in full force and effect.

Matthew E. Shull  
(Witness Sign Name)

Matthew E. Shull  
(Witness Print Name)

April Gregory  
(Witness Sign Name)

April Gregory  
(Witness Print Name)

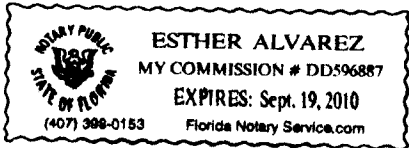
STEVE SQUARED, LLC, a Florida limited liability company

By: [Signature]  
Steeven Knight, Managing Member

STATE OF FL  
COUNTY OF WEE

The foregoing instrument was acknowledged before me this 3 day of Nov, 2006, by Steeven Knight as Managing Member of Steeve Squared, LLC, a Florida limited liability company, who  is personally known to me or who  has produced \_\_\_\_\_ as identification.

NOTARY RUBBER STAMP SEAL  
OR EMBOSSED SEAL



Esther Alvarez  
Notary Public  
Esther Alvarez  
Printed Name  
DD596887      9-19-2010  
Commission No.      Expiration Date

B  
W  
L  
K

# Bean, Whitaker, Lutz & Kareh, Inc.

13041 McGregor Boulevard  
Fort Myers, Florida 33919-5910  
email – fmooffice@bwlk.net  
(Ph) 239-481-1331 (Fax) 239-481-1073

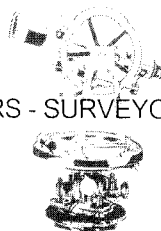
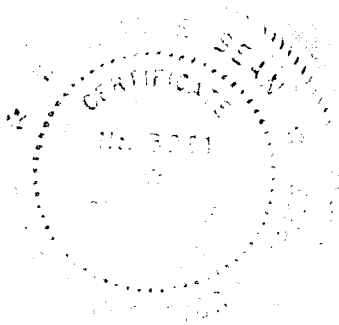
## SURVEYORS CERTIFICATE Amendment Number 1 to the Declaration of Condominium for Sanibel Harbour Yacht Club, A Condominium

We hereby certify that the attached Exhibit "D-1" is an accurate representation of the unit boundaries for Units 256, 257, 356, 357, 464, 465, 532 and 533 **as revised** in accordance with Article 2, Section 11, (b), (i) of the Declaration of Condominium for Sanibel Harbour Yacht Club, A Condominium, as recorded in Instrument Number 2006000142556 of the public records of Lee County, Florida. We further certify that the revised dimensions of those unit boundaries as shown on this Exhibit "D-1" are true and correct to the best of our knowledge and belief, the same being based on recent field measurements thereof, performed under the personal direction of the undersigned Registered Land Surveyor, and that this Exhibit "D-1" together with the wording of the Declaration to which it is annexed are sufficient in detail to determine the identification, location and approximate dimensions of the revised Units and the appurtenances thereto.

Bean, Whitaker, Lutz & Kareh, Inc.

 Date: 10-23-2006

William E. Bean (For the firm)  
Registered Land Surveyor  
Florida Certificate Number 3261



CONSULTING ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS

#### PRINCIPALS

WILLIAM E. BEAN, PSM, CHAIRMAN  
SCOTT J. WHITAKER, PSM, PRESIDENT  
JOSEPH L. LUTZ, PSM  
AHMED R. KAREH, PE, MSCE, VICE PRESIDENT

#### ASSOCIATES:

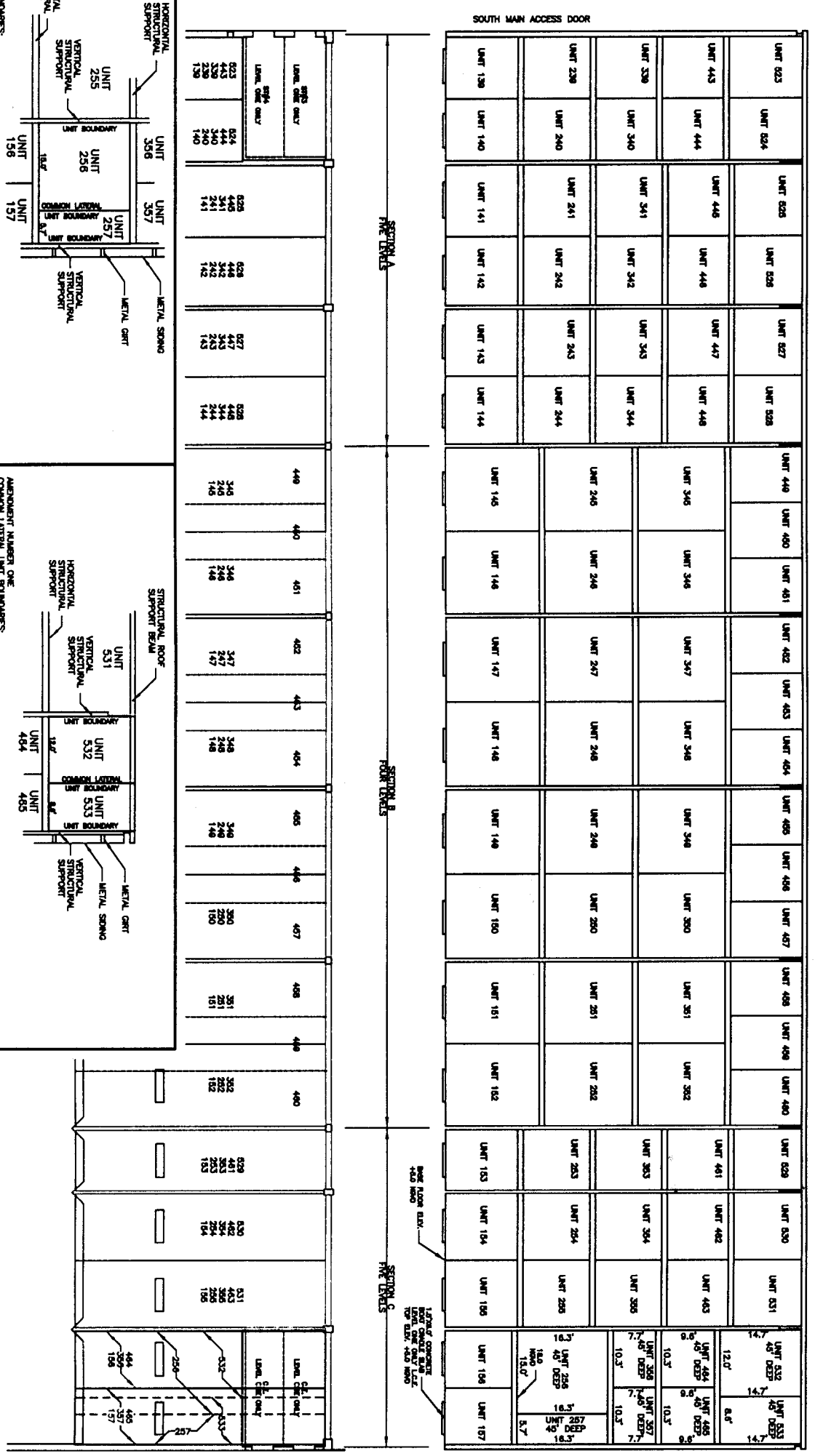
TRACY N. BEAN, AICP  
W. BRITT POMEROY, JR., PSM  
STEPHEN H. SKORUPSKI, PSM  
ELWOOD FINEFIELD, PSM  
JAMES A. HESSLER, PSM  
JAMES R. COLEMAN, PSM  
RUDOLF A. NORMAN, PE

CNL ENGINEERS - SURVEYORS AND MAPPERS - PLANNERS  
 1341-1 WOODSON BOULEVARD, FORT MYERS, FLORIDA 33916-8910 (239) 481-1331  
 South Asle-North- Amendment 01.dwg  
 DATE 10-23-06 PROJECT NO. 379868 SCALE 1" = 20' SHEET 1 OF 1 FILE NO. 03-1-0 9-48-23

EXHIBIT "D-1"

ANNEXED TO AND EXPRESSLY MADE A PART OF EXHIBIT "D"  
 OF THE DECLARATION OF CONDOMINIUM FOR  
 SANIBEL HARBOUR YACHT CLUB, A CONDOMINIUM LOCATED IN  
 SECTION 9, TOWNSHIP 46 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA  
 FILED FOR RECORD IN INSTRUMENT NUMBER 2006000142556  
 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA

AMENDMENT NUMBER ONE  
 TO REVISE UNIT BOUNDARIES  
 OF UNITS 256, 257, 356, 357,  
 464, 465, 532 AND 533



LEVEL FIVE  
 REVERSED TOP OF BEAM  
 ELEV. = 54.6 INWD  
 UNITS 532 AND 533  
 LEVEL FOUR  
 REVERSED TOP OF BEAM  
 ELEV. = 44.0 INWD  
 UNITS 464 AND 465  
 LEVEL THREE  
 REVERSED TOP OF BEAM  
 ELEV. = 36.5 INWD  
 UNITS 356 AND 357  
 LEVEL TWO  
 LEVEL ONE

AMENDMENT NUMBER ONE  
 COMMON LATERAL UNIT BOUNDARIES:  
 UNITS 256 AND 257 ONLY:  
 A VERTICAL PLANE PARALLEL WITH AND 12.0 FEET EAST OF THE VERTICAL PLANE OF THE INSIDE  
 SURFACE OF THE VERTICAL STRUCTURAL SUPPORT BETWEEN UNIT 256  
 AND UNIT 257, EXTENDING TO THE FURTHEST INTERSECTION WITH THE OTHER LATERAL AND  
 AFT UNIT BOUNDARIES.  
 REVERSED COMMON LATERAL UNIT BOUNDARY  
 UNIT 256 AND UNIT 257

AMENDMENT NUMBER ONE  
 COMMON LATERAL UNIT BOUNDARIES:  
 UNITS 532 AND 533 ONLY:  
 A VERTICAL PLANE PARALLEL WITH AND 12.0 FEET EAST OF THE VERTICAL PLANE OF THE INSIDE  
 SURFACE OF THE VERTICAL STRUCTURAL SUPPORT BETWEEN UNIT 531  
 AND UNIT 532, EXTENDING TO THE FURTHEST INTERSECTION WITH THE OTHER LATERAL AND  
 AFT UNIT BOUNDARIES.  
 REVERSED COMMON LATERAL UNIT BOUNDARY  
 UNIT 532 AND UNIT 533

GRAPHIC REPRESENTATION OF REVISED UNIT LAYOUT  
 UNIT 256, UNIT 257, UNIT 356, UNIT 357  
 UNIT 464, UNIT 465, UNIT 532 AND UNIT 533  
 SOUTH AISLE - NORTH SIDE